

from that nonunion employee. Actual representation expenses may be assessed only in instances in which a nonunion employee has specifically requested in writing to use representation by the labor union or labor organization. A nonunion employee may not be compelled to pay any expenses incurred by a labor union or labor organization in the course of general contract negotiations or collective bargaining. An assessment under this section is not an abridgement of any rights guaranteed under section 34-01-14. This section does not abridge or in any way interfere with rights guaranteed employees generally under the Labor Management Reporting and Disclosure Act of 1959 [29 U.S.C. 401 et seq.].

34-01-15. Employer to pay for medical examination - Penalty for violation.

Whenever an employer requires an employee, or prospective employee, to take a medical examination, or furnish any medical records, as a condition of retaining or obtaining employment, the employer shall bear the cost of the examination or the furnishing of the medical records. For purposes of this section, medical examination includes any test for the presence of drugs or alcohol. An employer violating any of the provisions of this section is guilty of an infraction.

34-01-15.1. Paid family leave - Political subdivision prohibition.

1. As used in this section:
 - a. "Employee" means an individual employed in this state by an employer.
 - b. "Employer" means a person that does business in this state. The term does not include a public employer.
 - c. "Paid family leave" includes employment benefits for an employee to take time off work to care for an ill family member or to bond with a new child entering the family.
 - d. "Public employer" means the state and each political subdivision of the state.
2. A political subdivision may not adopt or enforce an ordinance that requires an employer to provide to an employee paid family leave that exceeds the requirements of federal or state laws and rules.

34-01-16. Qualifications to hold office in labor union or labor organization.

No person who has been convicted of any crime involving moral turpitude or a felony, excepting traffic violations, may serve in any official capacity or as any officer in any labor union or labor organization in this state. No such person, nor any labor union or labor organization in which the person is an officer, is qualified to act as a bargaining agent or representative for employees in this state. Such disqualification terminates whenever such officer is removed or resigns as an officer in such labor union or labor organization.

34-01-17. Unlawful to discriminate because of age - Penalty.

No person carrying on or conducting within this state any business requiring employees may refuse to hire, employ, or license, or may bar or discharge from employment, any individual solely upon the ground of age; when the reasonable demands of the position do not require an age distinction; and, provided that such individual is well versed in the line of business carried on by such person, and is qualified physically, mentally, and by training and experience to satisfactorily perform the duties assigned to the person or for which the person applies. Nothing herein affects the retirement policy or system of any employer if such policy or system is not merely a subterfuge to evade the purposes of this section. Any person who violates any of the provisions of this section is guilty of a class B misdemeanor.

34-01-18. Discrimination against women jockeys prohibited - Penalty for violation.

Repealed by S.L. 1975, ch. 106, § 673.

34-01-19. Employment discrimination - Declaration of policy - Limitation of actions - Court jurisdiction.

Repealed by S.L. 1983, ch. 173, § 22.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1511

Page 3, line 7, after "employee" insert "or prospective employee"

Page 3, line 10, after "employee" insert "or prospective employee"

Page 3, line 12, remove "but the employee may"

Page 3, line 13, remove "be responsible for the cost of the testing"

Page 3, line 14, after "employee" insert "or prospective employee"

Page 3, line 17, after "employee" insert "or prospective employee"

Page 3, line 18, after "employee" insert "or prospective employee"

Page 3, line 19, after "employee" insert "or prospective employee"

Page 3, line 19, after "employee's" insert "or prospective employee's"

Renumber accordingly